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4 **UNITED STATES DISTRICT COURT**
5 **EASTERN DISTRICT OF CALIFORNIA**
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7 MELVIN DEMONTE HARRISON,

8 Plaintiff,

9 v.

10 VILLIANUA, et al.,

11 Defendant.

12 No. 1:23-cv-00872-KES-SAB (PC)

13 ORDER ADOPTING FINDINGS AND
14 RECOMMENDATIONS AND DISMISSING
15 ACTION FOR FAILURE TO OBEY COURT
16 ORDER AND FAILURE TO PROSECUTE

17 Doc. 10

18 Plaintiff is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. This
19 matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and
20 Local Rule 302.

21 On August 29, 2023, the assigned magistrate judge issued findings and recommendations
22 recommending that the action be dismissed for failure to comply with a court order, failure to pay
23 the required filing fee, and failure to prosecute. Doc. 10. The findings and recommendations
24 were served on Plaintiff and contained notice that any objections thereto were to be filed within
25 fourteen days of service. *Id.* at 3. No objections were filed and the time to do so has passed.¹

26 According to 28 U.S.C. § 636(b)(1), this Court has conducted a de novo review of this
27 case. Having carefully reviewed the entire file, the Court finds the findings and recommendations
28 to be supported by the record and by proper analysis.

29 Accordingly,

30 1. The findings and recommendations issued on August 29, 2023, Doc. 10, are
31 adopted in full;

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33 ¹ In fact, on September 11, 2023, the August 29, 2023, order was returned as “undeliverable” by the United States
34 Postal Office. Local Rule 182(f) provides that absent notice of a change of address, service of documents at the prior
35 address of a pro se party shall be fully effective.

1 2. This action is dismissed for failure to comply with a court order, failure to pay the
2 filing fee, and failure to prosecute; and
3 3. The Clerk of Court is directed to terminate all pending motions and to close this
4 case.

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7 IT IS SO ORDERED.

8 Dated: April 9, 2024



UNITED STATES DISTRICT JUDGE

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